IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 27180 of 2006(I)

PETITIONERS:

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1. RAJAN, S/O.KUTTAN,
AGED 44 YEARS, KULANGARAKKATTIL HOUSE,
ENGAKAD P.O., CHAKKIYARKUNNU,
WADAKKANCHERY, THRISSUR DISTRICT.

2. K.B.SATHEESH, KARIATHIL HOUSE,
ENGAKAD P.O., CHAKKIYARKUNNU,
WADAKKANCHERY, THRISSUR DISTRICT.

BY ADV. SRI.JIJO PAUL

RESPONDENTS:

1.THE SECRETARY,
WADAKKANCHERY PANCHAYATH,
WADAKKANCHERY PANCHAYATH OFFICE,
THRISSUR DISTRICT.

2.THE DISTRICT COLLECTOR,
THRISSUR.

3.THE ASSISTANT EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY,
WADAKKANCHERY, THRISSUR DISTRICT.

*4.THE DISTRICT OFFICER, GROUND WATER DEPARTMENT,
SITARAM LANE, PUNKUNNAM, THRISSUR-680002.

**ADDL.R5.THE R.D.O., THRISSUR.

*ADDRESS OF R4 IS CORRECTED AS PER THE ORDER DATED 8.2.2007 IN I.A.NO.1746/06.

**ADDL. R5 IS IMPLEADED VIDE JUDGMENT DATED 29.3.2007.

R3 BY ADV. SMT.AMBIKA DEVI, SC, KWA
R1 BY ADV.SRI.P.VIJAYA BHANU
SMT.K.S.CHANDRIKA
R2, R4 & R5 BY GOVT. PLEADER MR.K.J.MOHAMMED ANSAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(W.P.C.27180/06)

PETITIONERS' EXTS.:

EXT.P1: TRUE COPY OF THE REPRESENTATION MADE BEFORE THE 1ST RESPONDENT BY THE PETITIONERS AND OTHERS DT. 30.9.2006.

EXT.P2: TRUE COPY OF THE REPRESENTATION MADE BEFORE THE 3RD RESPONDENT BY THE PETITIONERS AND OTHERS DATED NIL.

EXT.P3: TRUE COPY OF THE REPRESENTATION MADE BEFORE THE 4TH RESPONDENT BY THE PETITIONERS AND OTHERS DT. 5.10.06.

PIUS C. KURIAKOSE,J.

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W.P.(C)No.27180 of 2006

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Dated: 29th March, 2007

JUDGMENT

The R.D.O., Thrissur is impleaded suo motu as additional 5th respondent in the Writ Petition. Registry will carry out necessary corrections in the cause title.

2. The grievance of the petitioners seems to be that the 1st respondent Panchayat is implementing Chakkiyarkunnu water project in such a manner as to benefit only the residents on the northern side of Chakkiyarkunnu. The present petitioners who are residents of eastern of Chakkiyarkunnu seek appropriate directions for implementation of the project in such a manner that they will also be benefitted.

2. A counter affidavit has been filed on behalf of the 1st respondent-Panchayat. In paragraph 7 of the counter affidavit it is stated that for the expansion of the drinking water project a sum of Rs.1,49,327/- has been allocated and that the Panchayat is trying to extend the benefit of the scheme to the maximum number of people in the locality.

3. Mr.Jijo Paul, counsel for the petitioners submit that either the District Collector, Thrissur or the R.D.O., Thrissur has to conduct a local inspection so that appropriate instructions can be issued to the

Panchayat. Exts.P1 to P3 representations, I find are submitted by the petitioners before the various authorities. Since I find some force in the submission of Mr.Jijo Paul that without a local inspection, it may not be possible to identify the problems which are peculiar to the area, I dispose of the Writ Petition itself directing the R.D.O., Thrissur, the additional 5th respondent to consider the grievances which are voiced by the petitioners through Exts.P1 to P3 submitted by them after conducting local inspection with notice to the 1st respondent-Panchayat and the functionaries of the K.W.A. and take a decision by issuing appropriate directions to the Panchayat. Needful will be done by the R.D.O. on a representation to be submitted by the petitioners immediately, at the earliest and at any rate within three months of receiving a copy of this judgment.

srd **PIUS C.KURIAKOSE, JUDGE**